

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 1,2 and 3. In Figure 1, the legend "Prior Art" has been inserted, as required, while in Figures 1, 2 and 3, the narrative verbiage associated with the figure numbers has been deleted.

Attachment: Replacement Sheet

REMARKS

Applicants acknowledge the allowance of Claims 1 through 5, as indicated in item 7 on page 6 of the Office Action. For the reasons stated hereinafter, Applicant respectfully submits that all claims of record in this application are now allowable as well.

Item 1 on page 2 of the Office Action indicates that the preliminary amendment of Claims 5-10 has not been considered, because it does not match the claims which are in the application. However, Applicant notes that this is a U.S. National Stage Application under 35 U.S.C. § 371, and that the claims which are properly in the application are those which are set forth in the amended sheets attached to the International Preliminary Examination Report, a copy of which was submitted with the application as originally filed. A comparison of the preliminary amendment with the claims contained in the amended sheets shows that they are fully consistent, and that the amendments to Claims 5 through 10 do in fact match up with those claims. Accordingly, Applicants respectfully submit that Claims 5 through 10 were and are entitled to be examined according to the preliminary amendment. Moreover, because each of Claims 5 through 10 depends from allowable Claim 1, Applicant believes that Claims 5 through 10 are allowable as well.

Item 2 on page 2 of the Office Action indicates that Applicant has not filed a certified copy of the priority document as required by 35 U.S.C. § 119 (b). However, Applicant notes that, because this application is a U.S. National Stage Application under 35 U.S.C. § 371, it is not required to submit a certified copy of the priority document, which should have been received from WIPO. Nevertheless, Applicant's review of the priority document in the PTO file, as it appears in the PAIR database, shows that the incorrect priority document was forwarded by WIPO. (The correct priority document is PCT/GB00/02394, while the document forwarded by WIPO is PCT/GB99/02394.) While it is not required to do so, in order to expedite the processing of this application, Applicant will obtain and submit a certified copy of the priority document for the PTO records.

Claims 6 through 9 have been objected to under 37 C.F.R. § 1.75(c) as being in improper form. However, Applicant notes that the multiple dependency of each of Claims 6 through 10 was corrected by the preliminary amendment submitted December 14, 2001. In order to eliminate any confusion which might result in this regard, by the foregoing amendment Applicant has cancelled Claims 1 through 10 and submitted new Claims 11 through 20, which are identical to the claims contained in the amended sheets attached to the International Preliminary Examination Report, with the changes made by the preliminary amendment. Accordingly, there should be no confusion at this point

concerning the exact claims which are the subject matter of the present application.

Claim 10 has been rejected under 35 U.S.C. § 112, second paragraph as being an omnibus-type claim. In response to this ground of rejection, Applicant notes that new Claim 20, which corresponds to Claim 10 as contained in the amended sheets to the International Preliminary Examination Report is not an omnibus-type claim. Accordingly, reconsideration and withdrawal of this ground of rejection are respectfully requested.

In response to the objection to the drawings as set forth in item 3 on pages 2 and 3 of the Office Action, Applicant has submitted three (3) replacement sheets bearing Figures 1 through 3. In Figure 1, the legend "Prior Art" has been inserted, as required, while in Figures 1, 2 and 3, the narrative verbiage associated with the figure numbers has been deleted.

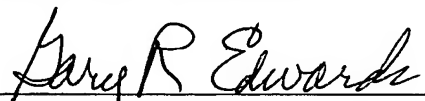
With regard to the proposition that the drawings do not show every feature of the invention specified in the claims, Applicant notes that independent Claim 11 is directed to a method of communicating in a mobile communication system, and that, to the extent that the method is susceptible of illustration in a drawing, the figures illustrate the association between Training code and Channelization code for the uplink mode of operation in a manner which would fully enable a person skilled in the art to understand and practice the method

according to the invention. Accordingly, reconsideration and withdrawal of this ground of objection are respectfully requested.

In light of the foregoing remarks, this application should be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #038819.50648).

Respectfully submitted,



Gary R. Edwards
Registration No. 31,824

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
GRE:kms
Attachment – Replacement Sheets (Figures 1, 2, 3)
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